


Attorney Docket No.: 016295.1460  
Express Mail Label No.: EV339224427US  
Date of Deposit with Express Mail: 09/24/2003

**PATENT**

22388 U.S. PTO  
10/669870  
09/24/03

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

CERTIFICATE OF MAILING VIA EXPRESS MAIL 37 C.F.R. §1.10	
PURSUANT TO 37 C.F.R. §1.10, I HEREBY CERTIFY THAT I HAVE INFORMATION AND A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE WILL BE DEPOSITED WITH THE U.S. POSTAL SERVICE AS "EXPRESS MAIL POST OFFICE TO ADDRESSEE" ON THE DATE INDICATED BELOW, AND IS ADDRESSED TO:	
MAIL STOP PATENT APPLICATION HONORABLE COMMISSIONER FOR PATENTS P. O. BOX 1450 ALEXANDRIA, VA 22313-1450	
 JULIE CLEMENTS	09.24.2003 DATE
DATE OF MAILING:	09/24/2003
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**MAIL STOP PATENT APPLICATION****Honorable Commissioner for Patents****P. O. Box 1450****Alexandria, VA 22313-1450****NEW APPLICATION TRANSMITTAL UNDER 37 C.F.R. 1.53(b)**

Transmitted herewith for filing is a patent application of:

Inventors: Carlton A. Andrews  
6308 Mauna Kea Drive  
Travis County  
Austin, Texas 78746-7227

Thomas Vrhel, Jr.  
16725 N.E. 160th Street  
King County  
Woodinville, Washington 98072-8167

For: "Dynamically Varying a RAID Cache Policy in Order to Optimize Throughput"

This new application is an original (nonprovisional) patent application.

Enclosed are:

- (a) One (1) Cover Page
- (b) Fourteen (14) total pages of Specification (pages 2-15)  
(including Background, Summary, and Description of the Drawings);
- (c) Eight (8) pages of Claims (pages 16-23);
- (d) One (1) page Abstract of the Disclosure (page 24);
- (e) Six (6) sheets of formal drawings.

This application is submitted with an executed combined Declaration/Power of Attorney.

This application is submitted with an executed Assignment and Recordation cover sheet, with duplicate copy of the cover sheet for fee processing.

This application is submitted with a Fee Transmittal Form (PTO/SB/17), with duplicate copy for fee processing.

This application is submitted with an Information Disclosure Statement.

CLAIMS FOR FEE CALCULATION					
	Actual	Number	Number Extra	Rate	Basic Fee \$750.00
Total Claims:	59	- 20 =	39	x \$18. =	\$702.00
Independent Claims:	4	- 3 =	1	x \$84. =	\$84.00
Total Filing Fee =					\$1,536.00

Included is check #863180 in the amount of \$1,536.00 for the filing fee and additional total and independent claims.

Also included is check #863179 in the amount of \$40.00 for the Assignment Recordation Fee.

A return receipt postcard is also included to acknowledge receipt of the above-named items.

In the event of underpayment or overpayment for the filing of this application, the Commissioner is hereby authorized to debit additional fees from, or to credit any overpayments to, Baker Botts L.L.P. **Deposit Account No. 02-0383, Order No. 016295.1460.**

Please direct all correspondence to:

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Respectfully submitted,

BAKER BOTTS L.L.P. (023640)

By: 

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ATTORNEY FOR APPLICANTS

DATE: September 24, 2003

Attorney Docket No.: 016295.1460

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**  
**for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 1,536.00, 40.00**Complete if Known**

Application Number	
Filing Date	09/24/2003
First Named Inventor	ANDREWS, et al.
Examiner Name	
Art Unit	
Attorney Docket No.	016295.1460

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number  
Deposit Account Name

02-0383

BAKER BOTTS L.L.P. 023640

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	750.00
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ ) 750.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
59	-20** = 39	18.	702.
4	-3** = 1	84.	84.
			<b>786.</b>

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$ ) 786.00</b>

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	40.00
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 40.00**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	RONALD L. CHICHESTER	Registration No. (Attorney/Agent)	36,765	Telephone	713.229.1341
Signature	<i>Ronald L. Chichester</i>	Date	09/24/2003		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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